



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

सोमवार, 04 मार्च, 2024 / 14 फाल्गुन, 1945

हिमाचल प्रदेश सरकार

लोक निर्माण विभाग

अधिसूचना

शिमला—171 002, 29 फरवरी, 2024

संख्या : पी0डब्ल्यू0डी0(सी)ए(3)—2/2021.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के

252—राजपत्र / 2023-04-03-2024

(12907)

परामर्श से, हिमाचल प्रदेश लोक निर्माण विभाग में नायब तहसीलदार, ग्रुप-बी के पद के लिए इस अधिसूचना से संलग्न उपाबन्ध-‘क’ के अनुसार भर्ती और प्रोन्नति नियम बनाते हैं, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश लोक निर्माण विभाग, नायब तहसीलदार, ग्रुप-बी, भर्ती और प्रोन्नति नियम, 2024 है।

(2) ये नियम राजपत्र (ई-गजट), हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

2. निरसन और व्यावृत्तियां.—(1) अधिसूचना संख्या लो0 नि0(क)-ब(13)-30/94, तारीख 18 दिसम्बर, 1995 द्वारा अधिसूचित हिमाचल प्रदेश, लोक निर्माण विभाग, नायब तहसीलदार (अराजपत्रित वर्ग-III), भर्ती एवं प्रोन्नति नियम, 1995 का एतद्वारा निरसन किया जाता है।

(2) ऐसे निरसन के होते हुए भी उपर्युक्त उप-नियम (1) के अधीन इस प्रकार निरसित नियमों के अधीन की गई कोई नियुक्ति, बात या कार्रवाई, इन नियमों के अधीन विधिमान्य रूप में की गई समझी जाएगी।

आदेश द्वारा,
हस्ताक्षरित /—
(डॉ अमनदीप गर्ग),
प्रधान सचिव (लोक निर्माण)।

उपाबन्ध-“क”

हिमाचल प्रदेश लोक निर्माण विभाग में नायब तहसीलदार, ग्रुप-बी के पद के लिए
भर्ती और प्रोन्नति नियम

1. पद का नाम.—नायब तहसीलदार
2. पद (पदों) की संख्या.—11 (ग्यारह)
3. वर्गीकरण.—ग्रुप-बी
4. वेतनमान.—“हिमाचल प्रदेश सिविल सेवाएं (संशोधित वेतन) नियम, 2022 के अनुसार पद के टाइम स्केल (समयमान) के साथ संलग्न पे-मैट्रिक्स का लेवलस्तर-12.”।
5. “चयन” पद अथवा “अचयन” पद.—चयन
6. सीधी भर्ती के लिए आयु.—लागू नहीं
7. सीधे भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए अपेक्षित न्यूनतम शैक्षिक और अन्य अर्हताएं.— (क) अनिवार्य अर्हता(एं) : लागू नहीं।
(ख) वांछनीय अर्हता(एं).—लागू नहीं
8. सीधे भर्ती किए जाने वाले व्यक्ति (व्यक्तियों) के लिए विहित आयु और शैक्षिक अर्हता (अर्हताएं) प्रोन्नत व्यक्ति की दशा में लागू होंगी या नहीं.—आयु : लागू नहीं।

शैक्षिक अर्हता(एं) : लागू नहीं

9. परीक्षा की अवधि, यदि कोई हो.—दो वर्ष, जिसका एक वर्ष से अनधिक ऐसी और अवधि के लिए विस्तार किया जा सकेगा, जैसा सक्षम प्राधिकारी विशेष परिस्थितियों में और कारणों को लिखित में अभिलिखित करके आदेश दें। सैकेण्डमैंट आधार पर कोई परीक्षा नहीं।

10. भर्ती की पद्धति: भर्ती सीधी होगी या प्रोन्नति/सैकेण्डमैंट/स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरे जाने वाले पद (पदों) की प्रतिशतता.—शतप्रतिशत प्रोन्नति द्वारा ऐसा न होने पर सैकेण्डमैंट आधार पर।

11. प्रोन्नति/सैकेण्डमैंट/स्थानान्तरण द्वारा भर्ती की दशा में वे श्रेणियां (ग्रेड) जिनसे प्रोन्नति/सैकेण्डमैंट/स्थानान्तरण किया जाएगा.—उन कानूनगो में से प्रोन्नति द्वारा, जिन्होंने राजस्व विभाग द्वारा यथा विहित नायब तहसीलदार की परीक्षा उत्तीर्ण कर ली हो और जिनका ग्रेड में कम से कम 03 (तीन) वर्ष का नियमित सेवाकाल हो, ऐसा न होने पर राजस्व विभाग से सैकेण्डमैंट द्वारा:

(I) परन्तु प्रोन्नति के प्रयोजन के लिए प्रत्येक कर्मचारी को, जनजातीय/कठिन/दुर्गम क्षेत्रों और दूरस्थ/ग्रामीण क्षेत्रों में पद (पदों) की ऐसे क्षेत्रों में पर्याप्त संख्या की उपलब्धता के अधधीन, कम से कम एक कार्यकाल तक सेवा करनी होगी:

परन्तु यह और कि उपर्युक्त परन्तुक (I) उन कर्मचारियों के मामले में लागू नहीं होगा, जिनकी अधिवर्षिता के लिए पांच वर्ष या उससे कम की सेवा शेष रही हो। तथापि ऐसे पदधारियों को उनकी प्रोन्नति पर दूरस्थ/ग्रामीण क्षेत्रों में तैनात/स्थानान्तरित किया जा सकेगा:

परन्तु यह और भी कि उन अधिकारियों/कर्मचारियों को, जिन्होंने जनजातीय/कठिन/दुर्गम क्षेत्रों में कम से कम एक कार्यकाल तक सेवा नहीं की है, ऐसे क्षेत्र में उनके अपने संवर्ग (काडर) में सर्वथा वरिष्ठता के अनुसार स्थानान्तरण किया जाएगा।

स्पष्टीकरण—I.—उपर्युक्त परन्तुक (I) के लिए जनजातीय/कठिन/दुर्गम क्षेत्रों और दूरस्थ/ग्रामीण क्षेत्रों में “कार्यकाल” से प्रशासनिक अत्यावश्यकताओं/सुविधा को ध्यान में रखते हुए साधारणतया तीन वर्ष की अवधि या ऐसे क्षेत्रों में तैनाती की इससे कम अवधि अभिप्रेत होगी।

स्पष्टीकरण—II.—उपरोक्त परन्तुक (I) के प्रयोजन के लिए जनजातीय/कठिन क्षेत्र निम्न प्रकार से होंगे:—

1. जिला लाहौल एवं स्पिति
2. चम्बा जिला का पाँगी और भरमौर उप-मण्डल
3. रोहडू उप-मण्डल का डोडरा क्वार क्षेत्र
4. जिला शिमला की रामपुर तहसील का पन्द्रह बीस परगना, मुनिष दरकाली और ग्राम पंचायत काशापाट।
5. कुल्लू जिला का पन्द्रह बीस परगना
6. कांगड़ा जिला के बैजनाथ उप-मण्डल का बड़ा भंगाल क्षेत्र
7. जिला किन्नौर
8. सिरमौर जिला में उप-तहसील कमरु के काठवाड़ और कोरगा पटवार वृत्त, रेणुकाजी तहसील के भलाड़-भलौना और सांगना पटवार वृत्त और शिलाई तहसील का कोटा पाब पटवार वृत्त।

9. मण्डी जिला में करसोग तहसील का खनयोल-बगड़ा पटवार वृत्त, बाली चौकी उप-तहसील के गाड़ा गोसाई, मठयानी, घनयाड़, थाची, बागी, सोमगाड़ और खोलानाल पटवार वृत्त, पद्धर तहसील के झारवाड़, कुटगढ़, ग्रामण, देवगढ़, ट्राईला, रोपा, कथोग, सिल्ह-भड़वानी, हस्तपुर, घमरहेर और भटेड़ पटवार वृत्त, थुनाग तहसील में चिउणी, कालीपर, मानगढ़, थाच-बागड़ा, उत्तरी मगरू और दक्षिणी मगरू पटवार वृत्त और मण्डी जिला की सुन्दरनगर तहसील का बटवाड़ा पटवार वृत्त।

स्पष्टीकरण—III.—उपर्युक्त परन्तुक (I) के प्रयोजन के लिए दूरस्थ/ग्रामीण क्षेत्र निम्न प्रकार से होंगे:—

- (i) उप-मण्डल/तहसील मुख्यालय से 20 किलोमीटर की परिधि से परे के समस्त स्थान।
 - (ii) राज्य मुख्यालय और जिला मुख्यालय से 15 किलोमीटर की परिधि से परे के समस्त स्थान जहाँ के लिए बस सेवा उपलब्ध नहीं है और 3 किलोमीटर से अधिक की पैदल यात्रा करनी पड़ती है।
 - (iii) कर्मचारी का, उसके प्रवर्ग को ध्यान में लाए बिना अपने गृह नगर या गृह नगर क्षेत्र के साथ लगती 20 किलोमीटर की परिधि के भीतर का क्षेत्र।
- (II) प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से पूर्व सम्भरक (पोषक) पद पर की गई लगातार तदर्थ सेवा, यदि कोई हो, इन नियमों में यथाविहित सेवाकाल के लिए, इस शर्त के अधधीन प्रोन्नति के लिए गणना में ली जाएगी, कि सम्भरक (पोषक) प्रवर्ग में तदर्थ नियुक्ति/प्रोन्नति, भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार चयन की उचित स्वीकार्य प्रक्रिया को अपनाने के पश्चात् की गई थी :

- (i) परन्तु उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्भरक (पोषक) पद में अपने कुल सेवाकाल (तदर्थ आधार पर की गई सेवा सहित, जो नियमित सेवा/नियुक्ति के अनुसरण में हो) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहां उससे वरिष्ठ सभी व्यक्ति अपने-अपने प्रवर्ग/पद/कांडर में विचार किए जाने के पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जाएंगे:

परन्तु यह और कि उन सभी पदधारियों की, जिन पर प्रोन्नति के लिए विचार किया जाना है, की कम से कम तीन वर्ष की न्यूनतम अर्हता सेवा या पद के भर्ती और प्रोन्नति नियमों में विहित सेवा, जो भी कम हो, होगी :

परन्तु यह और भी कि जहां कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नत किए जाने सम्बन्धी विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा/समझे जाएंगे।

स्पष्टीकरण.—अन्तिम परन्तुक के अतर्गत कनिष्ठ पदधारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा/समझे जाएंगे यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है जो आपातकाल की अवधि के दौरान सशस्त्र बल में भर्ती हुआ था और जिसे डिमोबिलाइज्ड आर्मड फोर्सिज परसोनल (रिजर्वेशन आफ वैकेन्सीज इन हिमाचल स्टेट नॉन-टैक्नीकल सर्विसीज) रूलज, 1972 के नियम-3 के उपबन्धों के अतर्गत भर्ती किया गया है और तदधीन वरीयता लाभ दिए गए हों या जिसे एक्स-सर्विसमैन (रिजर्वेशन ऑफ वैकेन्सीज इन दी हिमाचल प्रदेश टैक्नीकल सर्विसीज) रूलज, 1985 के नियम-3 के उपबन्धों के अतर्गत भर्ती किया गया हो तथा इसके अन्तर्गत वरीयता लाभ दिए गए हों।

- (ii) इसी प्रकार, स्थायीकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व सम्भरक (पोषक) पद पर की गई लगातार तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जाएगी, यदि तदर्थ नियुक्ति/प्रोन्नति, उचित चयन के पश्चात् और भर्ती और प्रोन्नति नियमों के उपबन्धों के अनुसार की गई थी :

परन्तु की गई तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थायीकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।

12. यदि विभागीय प्रोन्नति समिति/विभागीय स्थायीकरण समिति विद्यमान है, तो उसकी संरचना.—(क) विभागीय प्रोन्नति समिति : विभागीय प्रोन्नति समिति की अध्यक्ष हिमाचल प्रदेश लोक सेवा आयोग के अध्यक्ष या उसके द्वारा नामनिर्दिष्ट सदस्य द्वारा की जाएगी।

(ख) विभागीय स्थायीकरण समिति : जैसी सरकार द्वारा समय-समय पर गठित की जाए।

13. भर्ती करने में जिन परिस्थितियों में हिमाचल प्रदेश लोक सेवा आयोग से परामर्श किया जाएगा.—जैसा विधि द्वारा अपेक्षित हो।

14. सीधी भर्ती के लिए अनिवार्य अपेक्षा.—लागू नहीं

15. सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन.—लागू नहीं

16. आरक्षण.—सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर अनुसूचित जातियों/अनुसूचित जनजातियों/अन्य पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए सेवा में आरक्षण की बाबत जारी किए गए आदेशों के अध्वधीन होगी।

17. विभागीय परीक्षा.—सेवा के प्रत्येक सदस्य को समय-समय पर यथा संशोधित हिमाचल प्रदेश विभागीय परीक्षा नियम, 1997 में यथा विहित विभागीय परीक्षा पास करनी होगी।

18. शिथिल करने की शक्ति.—जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां वह, कारणों को लिखित में अभिलिखित करके, और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, आदेश द्वारा, इन नियमों के किसी/किन्हीं उपबन्ध (उपबन्धों) को किसी वर्ग या व्यक्ति (व्यक्तियों) के प्रवर्ग या पद (पदों) की बाबत, शिथिल कर सकेगी।

[Authoritative English Text of this Department's Notification No. PWD(C)A(3)-2/2021, dated 29-02-2024 as required under clause(3) of Article 348 of the Constitution of India].

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Shimla-171 002, the 29th February, 2024

No. PWD(C)A(3)-2/2021.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to frame the Recruitment and Promotion Rules for the post of Naib-Tehsildar, Group-B in the Himachal Pradesh Public Works Department, as per Annexure-‘A’ attached to this notification, namely:—

1. Short title and commencement.—(1) These rules may be called the Himachal Pradesh Public Works Department, Naib-Tehsildar, Group-B, Recruitment and Promotion Rules, 2024.

(2) These rules shall come into force from the date of publication in the Rajpatra (e-Gazette), Himachal Pradesh.

2. Repeal and savings.—(1) The Himachal Pradesh Public Works Department, Naib-Tehsildar (Class-III Non-gazetted), Recruitment and Promotion Rules, 1995, notified *vide* notification No.PW-(A)-B-(13)-30/94, dated 18 th December, 1995, are hereby repealed.

(2) Notwithstanding such repeal, any appointment made or anything done or any action taken under the rules so repealed under sub-rule (1) supra shall be deemed to have been validly made or done or taken under these rules.

By order,
Sd/-

(Dr. AMANDEEP GARG),
Principal Secretary (PW).

ANNEXURE “A”

RECRUITMENT AND PROMOTION RULES FOR THE POST OF NAIB TEHSILDAR, GROUP-B, IN THE DEPARTMENT OF PUBLIC WORKS, HIMACHAL PRADESH.

- 1. Name of the post.**— Naib Tehsildar
- 2. Number of post(s).**— 11 (Eleven)
- 3. Classification.**— Group-B
- 4. Scale of Pay.**— "Level -12 of the pay matrix, attached with time scale of the post, as per Himachal Pradesh Civil Services (Revised Pay) Rules, 2022."
- 5. Whether “Selection” post or “Non- Selection” post.**— Selection
- 6. Age for direct recruitment.**—Not applicable
- 7. Minimum educational and other qualifications required for direct recruit(s).**—(a) *Essential Qualification(s):* Not applicable.
(b) *Desirable qualification(s).*—Not applicable
- 8. Whether age and educational qualification(s) prescribed for direct recruit(s) will apply in the case of the promotee(s).**— *Age:* Not applicable.
Educational Qualification(s): Not applicable
- 9. Period of probation, if any.**—Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and reasons to be recorded in writing. No probation for secondment basis.

10. Method(s) of recruitment, whether by direct recruitment or by direct recruitment or by promotion/secondment/transfer and the percentage of post(s) to be filled in by various methods.—100% by promotion failing which by secondment from the Revenue Department.

11. In case of recruitment by promotion/secondment/transfer, grade for which Promotion/secondment/transfer is to be made.—By promotion from amongst the Kanungos who have qualified the Departmental Naib-Tehsildar Examination as prescribed by the Revenue Department with atleast 3 years regular service in the grade, failing which by secondment from the Revenue Department.

- (I) Provided that for the purpose of promotion every employee shall have to serve atleast one term in the Tribal/Difficult/Hard areas and remote/rural areas subject to adequate number of post(s) available in such areas:

Provided further that the proviso (I) *supra* shall not be applicable in the case of those employees who have five years or less service, left for superannuation. However, such incumbents may be posted / transferred to remote / rural areas in their promotion.

Provided further that Officer/Official who has not served atleast one tenure in Tribal / Difficult/Hard areas and remote/rural areas shall be transferred to such area strictly in accordance with his/her seniority in the respective cadre.

Explanation I.—For the purpose of proviso (I) *supra* the “term” in Tribal/Difficult/Hard areas/remote /rural areas shall mean normally three years or less period of posting in such areas keeping in view the administrative exigencies / convenience.

Explanation II.—For the purpose of proviso (I) *supra* the Tribal/Difficult Areas shall be as under:—

1. District Lahaul & Spiti
2. Pangi and Bharmour Sub-Division of Chamba District
3. Dodra Kwar Area of Rohru Sub-Division
4. Pandrah Bis Pargana, Munish Darkali and Gram Panchayat Kashapat, Gram Panchayat of Rampur Tehsil of District Shimla.
5. Pandrah Bis Pargana of Kullu District
6. Bara Bhargal Areas of Baijnath Sub-Division of Kangra District
7. District Kinnaur
8. Kathwar and Korga Patwar Circles of Kamrau Sub-Tehsil, Bhaladh Bhalona and Sangna Patwar Circles of Renukaji Tehsil and Kota Pab Patwar Circle of Shillai Tehsil, in Sirmaur District.
9. Khanyol-Bagra Patwar Circle of Karsog Tehsil, Gada-Gussaini, Mathyani, Ghanyar, Thachi, Baggi, Somgad and Kholanal of Bali-Chowki Sub Tehsil, Jharwar, Kutgarh, Graman, Devgarh, Trailla, Ropa, Kathog, Silh-Badhwani, Hastpur, Ghamrehar and Bhatehar Patwar Circle of Padhar Tehsil, Chiuni,

Kalipar, Mangarh, Thach-Bagra, North Magru and South Magru Patwar Circles of Thunag Tehsil and Batwara Patwar Circle of Sunder Nagar Tehsil in Mandi District.

Explanation III.—For the purpose of proviso (I) *supra* the Remote/Rural Areas shall be as under:

- (i) All stations beyond the radius of 20 Kms. from Sub-Division/Tehsil headquarter
 - (ii) All stations beyond the radius of 15 Kms. from State Headquarter and District head quarters where bus service is not available and on foot journey is more than 3 (three) Kms.
 - (iii) Home town or area adjoining to area of home town within the radius of 20 Kms. of the employee regardless of its category.
- (II) In all cases of promotion, the continuous *adhoc* service rendered in the feeder post if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition that the *adhoc* appointment/promotion in the feeder category had been made after following proper acceptable process of selection in accordance with the provisions of R & P Rules:
- (i) Provided that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *adhoc* basis followed by regular service / appointment) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category / post / cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment & Promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen who have joined Armed Forces during the period of emergency and recruited under the provisions of Rule-3 of Demobilized Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule- 3 of the Ex-servicemen (Reservation of vacancies in the Himachal Pradesh Technical Service) Rules, 1985 and having been given the benefit of seniority thereunder.

- (ii) Similarly, in all cases of confirmation, continuous *adhoc* service rendered on the feeder post if any, prior to the regular appointment against such posts shall be taken into account towards the length of service, if the *adhoc* appointment / promotion had been made after proper selection and in accordance with the provision of the Recruitment & Promotion Rules:

Provided that *inter-se*-seniority as a result of confirmation after taking into account, *ad hoc* service rendered shall remain unchanged.

12. If a Departmental Promotion/Confirmation Committee exists, what is its composition.—*Departmental Promotion / Confirmation Committee*: DPC to be presided over by the Chairman, Himachal Pradesh Public Service Commission or a member thereof to be nominated by him.

(b) *Departmenta Confirmation Committee* : As may be constituted by the Government from time to time

13. Circumstances under which the Himachal Pradesh Public Service Commission (H.P.P.S.C.) is to be consulted in making recruitment.—As required under the Law.

14. Essential requirement for a direct recruitment.—Not applicable

15. Selection for appointment to the post by direct recruitment.—Not applicable

16. Reservation.— The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes/Scheduled Tribes/Other Backward Classes/other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Departmental Examination.—Every member of the service shall pass a Departmental Examination as prescribed in the Himachal Pradesh Departmental Examination Rules, 1997, as amendment from time to time.

18. Power to relax.—Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission relax any of the provision(s) of these Rules with respect to any class or category of person(s) or post(s).

निर्वाचन विभाग, हिमाचल प्रदेश सरकार

38—एस. डी. ए. कॉम्प्लैक्स, कसुम्पटी, शिमला —171009

अधिसूचना

दिनांक 23 फरवरी, 2024

संख्या 3—16/2023—ई0एल0एन0.—भारत निर्वाचन आयोग के आदेश सं0 76/हिमा0—वि0स0/66/2022/सी.ई.एम.एस.—1, दिनांक 15 फरवरी, 2024, तदनुसार 26 मार्च, 1945 (शक) जो कि हिमाचल प्रदेश के 66—रामपुर (अ.जा.) विधान सभा निर्वाचन क्षेत्र के लिए साधारण निर्वाचन, 2022 में निर्वाचन लड़ने वाले अभ्यर्थी श्री प्रीतम देव द्वारा अपेक्षित निर्वाचन व्ययों का लेखा दाखिल करने में असफल होने पर लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 10क के अनुसरण में अभ्यर्थी को तीन वर्ष की अवधि के लिए संसद के किसी भी सदन या किसी राज्य/संघ राज्य क्षेत्र की विधान सभा अथवा विधान परिषद का सदस्य चुने जाने के लिए निरर्हित घोषित करने के सम्बन्ध में है, को अंग्रेजी रूपान्तर सहित जनसाधारण की सूचना हेतु प्रकाशित किया जाता है।

आदेश से,

मनीष गर्ग
मुख्य निर्वाचन अधिकारी,
हिमाचल प्रदेश ।

भारत निर्वाचन आयोग
निर्वाचन सदन, अशोक रोड, नई दिल्ली-110001

दिनांक 15 फरवरी, 2024
26 माघ, 1945 (शक)

आदेश

सं० 76/हिमा०-वि०स०/66/2022 सी.ई.एम.एस.-1.—यतः, भारत निर्वाचन आयोग द्वारा की अधिसूचना सं० 464/हि०प्र०-वि०स०/2022, दिनांक 17 अक्तूबर, 2022 के अनुसरण में 66-रामपुर (अ.जा.) विधान सभा निर्वाचन क्षेत्र के लिए हिमाचल प्रदेश विधान सभा का साधारण निर्वाचन, 2022 आयोजित किया गया था; और

यतः, लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 78 के अनुसार, किसी निर्वाचन में, निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, निर्वाचित अभ्यर्थी के निर्वाचन की तारीख से 30 दिनों के भीतर अपने निर्वाचन व्यय का लेखा जिला निर्वाचन अधिकारी के पास दाखिल करेगा जो उक्त अधिनियम की धारा 77 के अन्तर्गत उसके द्वारा या उसके निर्वाचन अभिकर्ता (एजेंट) द्वारा रखे गए लेखे की एक सत्य प्रति होगी; और

यतः, हिमाचल प्रदेश के 66-रामपुर (अ.जा.) विधान सभा निर्वाचन क्षेत्र के साधारण निर्वाचन, 2022 का परिणाम रिटर्निंग ऑफिसर द्वारा दिनांक 08 दिसम्बर, 2022 को घोषित किया गया था और इस प्रकार निर्वाचन व्यय के लेखे दाखिल करने की अन्तिम तारीख 07 जनवरी, 2023 थी; और

यतः, निर्वाचनों का संचालन नियम, 1961 के नियम 89 के उप-नियम (1) के अंतर्गत, जिला निर्वाचन अधिकारी, शिमला दिनांक 16-01-2023 के पत्र सं.एस.एम.एल.-4-3/2022-ईलेक्-51 की रिपोर्ट के अनुसार श्री प्रीतम देव, जो हिमाचल प्रदेश के 66-रामपुर (अ.जा.) विधान सभा निर्वाचन क्षेत्र, 2022 से निर्वाचन लड़ने वाले अभ्यर्थी हैं विधि के अंतर्गत यथापेक्षित रीति से अपने निर्वाचन व्यय का लेखा दाखिल करने में असफल रहे हैं; और

यतः, जिला निर्वाचन अधिकारी, शिमला की उक्त रिपोर्ट के आधार पर भारत निर्वाचन आयोग द्वारा निर्वाचनों का संचालन नियम, 1961 के नियम 89 के उप-नियम (5) के अंतर्गत श्री प्रीतम देव को अपने निर्वाचन व्यय के लेखे प्रस्तुत नहीं करने के लिए कारण बताओ नोटिस सं. 76/हिमा०-वि०स०/66/2022/सी.ई.एम.एस.-1 दिनांक 20 अप्रैल, 2023 जारी किया गया था; और

यतः, उपर्युक्त कारण बताओ नोटिस के जरिए और निर्वाचनों का संचालन नियम, 1961 के नियम 89 के उप-नियम (6) के अंतर्गत श्री प्रीतम देव, को लेखा प्रस्तुत न किए जाने संबंधी कारणों को स्पष्ट करते हुए, आयोग को अपना अभ्यावेदन लिखित रूप में प्रस्तुत करने और नोटिस के प्राप्त होने की तारीख से 20 दिनों के भीतर जिला निर्वाचन अधिकारी शिमला जिला को अपने निर्वाचन व्यय का लेखा प्रस्तुत करने का निदेश दिया गया था; और

यतः मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश ने पत्र सं. 3-7/2023-ईएलएन-ईईएम-III, दिनांक 9 मई, 2023 के द्वारा जिला निर्वाचन अधिकारी, शिमला के पत्र सं.-एस.एम.एल.-7-9/2022-ईलेक्/327 दिनांक 8 मई, 2023 के द्वारा प्रस्तुत किया कि उक्त कारण बताओ नोटिस श्री प्रीतम देव, को दिनांक 02-05-2023 को तामील किया गया था, और

यतः मुख्य निर्वाचन अधिकारी, हिमाचल प्रदेश ने पत्र सं. 3-1/2024-ईएलएन-ईईएम दिनांक 06-01-2024 के द्वारा जिला निर्वाचन अधिकारी, शिमला की अनुपूरक रिपोर्ट सं. 3-7/2023-ईएलएन-ईईएम-III दिनांक 09-10-2023 अग्रेषित किया और बताया कि श्री प्रीतम देव, ने निर्वाचन व्यय के लेखे का कोई विवरण या अभ्यावेदन प्रस्तुत नहीं किया है। इसके अतिरिक्त, उक्त नोटिस की पावती के उपरान्त, श्री प्रीतम देव, ने विधि के अंतर्गत यथा विहित लेखा दाखिल करने में अपनी असफलता के लिए भारत निर्वाचन आयोग को न तो कोई कारण बताया है और न ही कोई स्पष्टीकरण दिया है; और

यतः, लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 10क में यह उपबंधित किया गया है कि:

“यदि निर्वाचन आयोग का समाधान हो जाता है कि कोई व्यक्ति—

- (क) निर्वाचन व्ययों का लेखा उस समय के भीतर और उस रीति में जैसी इस अधिनियम के द्वारा या अधीन अपेक्षित है, दाखिल करने में असफल रहा है, और
- (ख) उस असफलता के लिए कोई अच्छा कारण अथवा न्यायोचित्य नहीं रखता है, तो निर्वाचन आयोग, शासकीय राजपत्र में प्रकाशित आदेश द्वारा उसको निरर्हित घोषित करेगा और ऐसा व्यक्ति उस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरर्हित होगा।

यतः, तथ्यों और उपलब्ध रिकार्डों के आधार पर, आयोग का यह समाधान हो गया है कि श्री प्रीतम देव, अपने निर्वाचन व्यय के लेखे दाखिल करने में असफल रहे हैं और उनके पास ऐसा करने में असफल रहने के लिए कोई भी उचित कारण अथवा औचित्य नहीं है; और

अतः अब लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 10क के अनुसरण में भारत निर्वाचन आयोग एतद्वारा घोषणा करता है कि हिमाचल प्रदेश के 66—रामपुर (अ.जा.) विधान सभा निर्वाचन क्षेत्र के लिए साधारण निर्वाचन 2022 में निर्वाचन लड़ने वाले अभ्यर्थी श्री प्रीतम देव, गांव व डाकघर मझेवली, तहसील रामपुर, जिला शिमला, हिमाचल प्रदेश—173021 इस आदेश की तारीख से तीन वर्ष की अवधि के लिए संसद के किसी भी सदन अथवा राज्य अथवा संघ राज्य क्षेत्र की विधानसभा अथवा विधान परिषद का सदस्य चुने जाने अथवा होने के लिए निरर्हित होंगे।

आदेश से,

सुजीत कुमार मिश्र,
सचिव।

सेवा में,

श्री प्रीतम देव,
गांव व डाकघर मझेवली,
तहसील रामपुर,
जिला शिमला,
हिमाचल प्रदेश—173021

ELECTION COMMISSION OF INDIA
Nirvachan Sadan, Ashoka Road, New Delhi-110001

Dated: 15th February, 2024
26 Magh, 1945 (Saka)

ORDER

No. 76/HP-LA/66/2022/CEMS-1.—WHEREAS, the General Election to Legislative Assembly of Himachal Pradesh, 2022 for 66-Rampur (SC) Assembly Constituency was held in pursuance of the Election Commission of India Notification No. 464/HP-LA/2022, dated 17th October, 2022; and

WHEREAS, as per Section 78 of the Representation of People Act, 1951, every contesting candidate at an election shall, within 30 days from the date of election of the returned candidate, lodge with the District Election Officer an account of his election expenses which shall be true copy of the account kept by him or his election agent under Section 77 of the said act; and

WHEREAS, the result of the election for **66-Rampur (SC)** Assembly Constituency of Himachal Pradesh, 2022 was declared by the Returning Officer on 08th December, 2022 and hence the last date for lodging the account of Election Expenses was 07th January, 2023; and

WHEREAS, as per the report the District Election Officer, **Shimla** under sub-rule (1) of Rule 89 of the Conduct of Election Rules, 1961, received his letter No. SML-4-3/2022/Elec-51 dated 16-01-2023 **Sh. Pritam Dev**, a contesting candidate from **66-Rampur (SC)** Assembly Constituency of Himachal Pradesh, 2022 has failed to lodge account of election expenses, as required under law; and

WHEREAS, on the basis of the said report of the District Election Officer, **Shimla**, a Show-Cause notice No. **76/HP-LA/66/2022/CEMS-1**, dated **20th April, 2023** was issued under sub-rule (5) of Rule 89 of the Conduct of Election Rules, 1961 by the Election Commission of India **Sh. Pritam Dev** for not lodging of account of Election Expenses; and

WHEREAS, through the above said Show Cause Notice and under sub-rule (6) of Rule 89 of the Conduct of Election Rules, 1961, **Sh. Pritam Dev** was directed to submit representation in writing to the Commission explaining the reasons for not lodging the account and also to lodge account of election expenses with the District Election Officer, **Shimla** District within 20 days from the date of receipt of the notice; and

WHEREAS, the Chief Electoral Officer, Himachal Pradesh, *vide* his letter No.3-7/2023-ELN-EEM-III dated 9th May, 2023 District, enclosing the DEO, Shimla letter No. SML-7-9/2022-Elec/327 dated 8th May, 2023 has reported that the said notice was served to **Sh. Pritam Dev**, on **02-05-2023**; and

WHEREAS, the CEO, Himachal Pradesh *vide* letter no. 3-1/2024-ELN-EEM, dated 06-01-2024 forwarded the District Election Officer, **Shimla** Supplementary Report No. 3-7/2023-ELN-EEM-III, dated 09-10-2023 and reported stated that **Sh. Pritam Dev** has not submitted any representation of a statement of correct account of election expenses duly signed alongwith original vouchers etc. Further, after receipt of the said notice, **Sh. Pritam Dev**, has neither furnished any reason nor explanation to the Election Commission of India, for failure to lodge the account as prescribed under law; and

WHEREAS, Section 10A of the Representation of the People Act, 1951 provides that:—

“If the Election Commission is satisfied that a person—

- (a) has failed to lodge an account of election expenses, within the time and in the manner required by or under this Act, and*
- (b) has no good reason or justification for the failure,*

the Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from the date of the order.”;

WHEREAS, on the basis of facts and available records, the Commission is satisfied that **Sh. Pritam Dev**, has failed to lodge account of election expenses and has no good reason or justification for the failure to do so; and

NOW, THEREFORE, in pursuance of Section 10A of the Representation of the People Act, 1951, the Election Commission of India hereby declares **Sh. Pritam Dev, Village & Post Office Majhewali, Tehsil Rampur, Distt. Shimla, Himachal Pradesh-173021** and a contesting candidate in **66-Rampur (SC) Assembly Constituency** of the State of Himachal Pradesh in the General Election to the Legislative Assembly 2022 to be disqualified for being chosen as and for being a member of either House of the Parliament or the Legislative Assembly or the Legislative Council of a State or Union Territory for a period of three years from the date of this order.

By order,

SUJEET KUMAR MISHRA,
Secretary.

To

Sh. Pritam Dev,
Village & Post Office Majhewali,
Tehsil Rampur, Distt. Shimla,
Himachal Pradesh-173021.

INDUSTRIES DEPARTMENT

NOTIFICATION

Shimla-2, the 29th February, 2024

No. Ind-II(F)1-1/2023.—In supersession of all previous notifications issued on the subject, the Governor, Himachal Pradesh is pleased to notify Himachal Pradesh Mineral Policy, 2024 for regulation of mines and minerals in Himachal Pradesh as per enclosed **Annexure-I** with immediate effect.

By order,

R.D. NAZEEM
Principal Secretary (Inds.).

Annexure-I

HIMACHAL PRADESH MINERAL POLICY, 2024

This Policy is notified in accordance with the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 and powers conferred under section 15 and Section 23-C of the Mines and Minerals (Development and Regulation) Act, 1957.

Introduction:

Minerals are non-renewable natural resources essential for mankind and backbone of economic growth of any country. The progressive industrialization and infrastructural activities have led to increased demand resulting into large scale production of minerals. Although, mining and quarrying have been age old practices in Himachal Pradesh from Palaeolithic age as evidenced by the ancient temples and monuments and old workings for metallic minerals as reported in Chamba, Kullu and Shimla. But presently there is no prevalence of large scale mining activities in Himachal Pradesh, as it is not a mineral rich State. Almost all the existing mines are open cast and limited in aerial extent. The mining activities in Himachal Pradesh can be categorized under both large sector and small sector. The large sector comprises of major limestone projects for cement manufacturing and the small sector comprises mining of minor minerals like sand, stone, bajri, slates, shale, clay etc. which are basic building materials required to meet the infra structural development needs of the State.

1. Earlier Policy Guidelines:

The Government of Himachal Pradesh had earlier formulated a Mining Policy in the year 1986 which was later modified in the year 1998. Further the State Government formulated the River/Stream Bed Mining Policy Guidelines-2004. In the 2004 policy, the concept of preparation of Working-cum-Environment Management Plan was introduced for minor minerals. In addition to above, the Govt. had also notified the Policy Guidelines for Registration, Location, Installation and working of stone crusher in the State of H.P. on 11-08-2004. Thereafter, on 24-08-2013, the State notified the Himachal Pradesh Mineral Policy-2013 with an objective to ensure scientific and systematic mining and laid down the safeguards to be undertaken during mining for protection of public and private property and to regulate the mining activities in the State in a systematic and scientific manner.

2. Need of New Mineral policy for the State of Himachal Pradesh:

A decade has passed since the Himachal Pradesh Mineral policy-2013 was notified and during this period a number of significant changes in the mining sector have taken place which needs to be addressed. The central Government has notified National Mineral Policy-2019 with the objectives of transparency in grant of mineral concession, better regulation & enforcement, balanced social & economic growth and to encourage sustainable mining practices. Further, the Ministry of Environment, Forests and Climate Change (MoEF&CC) has issued Sustainable Sand Mining Management Guidelines-2016 & Enforcement & Monitoring Guidelines for Sand Mining-2020 which requires preparation of District Survey Report (DSR), which is an important initial step before grant of mineral concession/Letter of Intent. Further, the State of Himachal Pradesh has framed the Himachal Pradesh Minor Mineral (Concession) and Minerals, (Prevention of illegal mining, Transportation and Storage) Rules-2015 on 13-03-2015 wherein most of the provisions of earlier policy guidelines were incorporated. Thus, a need was felt to formulate a well defined futuristic Mineral Policy with an objective to develop and conserve the mineral resources of the State in consonance with the "National Mineral Policy-2019" and "Sand Mining Framework". This policy will meet the present challenges of the State while taking into consideration its difficult terrain where mining considerations are different when compared to other States. This policy will also help the State to meet the growing demand of minerals in the context of its rapid pace of economic development. This policy has been framed with the vision to enhance the revenue collection of the State while curbing the illegal mining activities.

3. Existing Acts and Rules:

The following Acts and Rules are in operation to regulate mining activities in the State:—

- (i) The Mines and Mineral (Development and Regulation), Act 1957
- (ii) The Mineral Concession Rules, 1960
- (iii) The Mineral Conservation and Development Rules, 2017
- (iv) The Minerals (Evidence of Mineral Contents) Rules, 2015
- (v) The Mineral (Auction) Rules, 2015
- (vi) The Mineral (Non-Exclusive Reconnaissance Permits) Rules, 2015
- (vii) The Minerals (Other than Atomic and Hydro Carbons Energy Minerals) Concession Rules, 2016.
- (viii) The Mines Rules, 1952
- (ix) The Metalliferous Mines Regulation, 2019
- (x) National Mineral Exploration Trust Rules, 2015
- (xi) Sustainable Sand Mining Management Guideline-2016
- (xii) Enforcement & Monitoring Guidelines for Sand Mining-2020
- (xiii) The Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.
- (xiv) The Himachal Pradesh District Mineral Foundation Trust Rules, 2015

4. Mineral Resources:

Apart from the minor minerals like Sand, Stone, Bajri etc. the major minerals like Limestone, Dolomite, Gypsum, Magnesite, Barytes, Rock Salt etc. have been reported from various parts of Himachal Pradesh. However, except for limestone and Rock Salt, no other major mineral, which can be commercially exploited, has been reported in the State. Based on these limestone deposits, seven (7) mega cement units *i.e.* two in district Bilaspur (M/s ACC Ltd.), four in district Solan (M/s Gujarat Ambuja and M/s UltraTech Cements) and one in district Sirmaur (M/s CCI Ltd.) are already in operation. In addition to above functional limestone blocks, there exists ten (10) major mineral blocks of limestone deposits. Out of the ten (10) limestone blocks, five (5) are under litigation in various courts and two (2) blocks are yet to be fully explored. So, in the present scenario, only three limestone mineral blocks *i.e.* Broh-Shind limestone deposit (Distt. Chamba), Kothi-Sal-Bag limestone deposit (Distt. Shimla) & Arki limestone deposit (Distt. Solan) are available for auction.

5. Commercially exploitable minerals found in various districts of the state:

District	Exploitable Minerals
Bilaspur	Limestone, dolomitic limestone, shale, brick earth, minor minerals like sand, stone & bajri.
Kangra	Roofing slate, brick earth, minor minerals like sand, stone & bajri.
Chamba	Limestone, roofing slate, magnesite & minor minerals like sand, stone & bajri.
Lahaul & Spiti	Antimony-ore, Gypsum & minor minerals like sand, stone & bajri.
Solan	Limestone, dolomitic limestone, shale, building stone & minor minerals like sand, stone & bajri.

Una	Silica boulders & minor minerals like sand, stone & bajri
Mandi	Limestone, rock salt, & minor minerals like sand, stone & bajri
Hamirpur	Minor minerals like sand, stone & bajri
Shimla	Limestone, shale, quartzite & minor minerals like sand, stone & bajri.
Sirmaur	Limestone, barites, gypsum, shale, quartzite & minor minerals sand, stone & bajri.
Kullu	Roofing slate, quartzite crystal, mineral water, Semi precious stones & minor minerals like sand, stone & bajri.
Kinnaur	Gypsum & minor minerals like sand, stone & bajri

Based on the major minerals available in the State, seven (7) mega cement units of four (4) Cement Companies are functional. Apart from these, five (5) mini cement plants have also been set up in the State. Further, more than hundred lime based units like poultry feed, limestone powder, calcium carbonate, hydrated lime etc. have been set up in the State. Based on the minor minerals, about four hundred eight (408) stone crusher units, about fifteen (15) stone cutting and hollow block units have been operating in the State. The mining sector is providing direct employment to more than 12,500 persons and indirect employment to more than 45,000 persons in the State.

6. Royalty from Minerals:

The details of royalty realized in the state exchequer from 2013-14 to 2022-23 has been given below:—

Year	Major Mineral (i.e. Limestone, Barytes, Shale, Quartzite, Silica Sand)	Minor Mineral (i.e. Building Stone, Sand, Stone and Bajri, Shale, Slate)	Other Charges (i.e. fees, rent, penalties, compounding fee and other recoveries)	Total Royalty (in Cr.)
2013-2014	66.25	33.60	11.23	111.08
2014-2015	97.40	27.83	36.29	161.52
2015-2016	93.09	32.76	29.23	155.08
2016-2017	83.85	50.69	41.68	176.22
2017-2018	352.67	51.18	37.61	441.46
2018-2019	102.87	48.41	21.93	173.21
2019-2020	108.81	49.14	36.54	194.49
2020-2021	101.26	63.92	40.69	205.87
2021-2022	116.65	60.90	22.54	200.09
2022-2023	98.25	101.00	42.00	241.25

7. Objectives of the New Mineral Policy-2024:

- To explore mineral wealth of the State and to carry out its exploitation by adopting scientific and mechanical techniques with adequate safeguards to protect environment and ecology.

- b. To increase the employment opportunities in the mining sector, by granting sustainably adequate mineral concessions in the State.
- c. To take effective measures to curb illegal mining and leakages of revenue
- d. To prepare an integrated On-line portal for regulating the mining activities in a fair transparent manner.
- e. To promote value addition through promotion of processing units and mineral based industries in the State.
- f. To simplify the procedures and rules to make regulatory environment conducive to ease of doing business.
- g. To adhere to the orders/directions issued by the Hon'ble Apex Court, Hon'ble High Court, Hon'ble National Green Tribunal and other guidelines issued by the Ministry of Environment and Forest & Climate Change (MoEF&CC) Government of India, for exploitation of minor minerals.

8. Mineral Exploration:

The Geological Survey of India (GSI) and Geological Wing of the State are the two main agencies which conduct survey and exploration of minerals in the State apart from other organizations like Oil and Natural Gas Commission (ONGC), Atomic Mineral Directorate (AMD) etc., which undertakes exploration for specific minerals. However, in pursuance of the Mines and Minerals (Development and Regulation) Amendment Act 2015, the National Mineral Exploration Trust (NMET) has been set up *vide* gazette Notification No. G.S.R. 633 (E) dated 14-8-2015 and the National Mineral Exploration Trust Rules 2015 were also notified *vide* Gazette Notification No. G.S.R. 632 (E) dated 14-8-2015, with the prime objective of promoting mineral exploration in the country. The above amendment Act, 2015 prescribes payment to the NMET, a sum equivalent to 2% (Two percent) of the royalty to be paid by the lessee for the minerals listed in the Second Schedule of the Act. Mineral Exploration Corporation Limited (MECL), a PSU under the Ministry of Mines, Govt. of India has been designated as the nodal agency for carrying out exploration under NMET and a tripartite agreement among NMET, MECL and the respective State Government has been approved for implementation of the exploration projects. The trust supports regional and detailed mineral exploration in the country and also other activities as approved by the Governing Body to achieve its objectives.

The State of Himachal Pradesh has also started collecting an amount equivalent to two percent (2%) of royalty paid by holders of mining lease as per mandate of National Mineral Exploration Trust. For the utilization of the aforesaid fund, the department shall prepare proposals so that MECL could be engaged for mineral exploration in the State. Further, endeavour shall be made for prospecting of new minor mineral deposits of building stone and sand over the hill slopes to reduce the pressure on river/stream bed mining so as to protect the river eco-system. The State Geological Wing shall prioritize the mineral exploration projects and shall finalize the annual programme to maximize the revenue to the State.

9. Initiatives for Systematic and Scientific Mining:

With the vision to develop mineral resources in a systematic, scientific and sustainable manner, various provisions have been made in the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015. Following

are the initiatives for systematic, scientific and sustainable mining as per the guidelines of Ministry of Environment, Forests & Climate Change (MoEF&CC), Government of India and “National Mineral Policy-2019” to meet out the growing demand of mineral in the State.

- a. **Preparation of District Survey Report.**— The Ministry of Environment, Forest and Climate Change (MoEF&CC) has issued Sustainable Sand Mining Management Guideline-2016 and also Enforcement & Monitoring Guidelines for Sand Mining-2020 which, *inter-alia* addresses the issues relating to regulation of sand mining in Country and provides detailed instructions for ensuring sustainable river sand mining. The guidelines emphasize on the preparation of District Survey Report (DSR) for each district. Usage of IT and IT enabled services for effective monitoring of the quantity of mined material and transportation is also a part of the guidelines issued by MoEF & CC, Govt. of India.

Accordingly, efforts have been made to adhere to the aforesaid guidelines for sustainable mining and prevention and mitigation of adverse impact on the environment. Further, all the potential mineral bearing sites in riverbeds have been identified and incorporated in the District Survey Reports of all the districts in the State as per the guidelines issued by the Ministry of Environment Forest and Climate Change, Govt. of India.

- b. **Inspection of area by the Joint Inspection Committee.**—After identification of the mineral bearing site, the area is inspected by the joint inspection committee headed by the concerned Sub Divisional Officer (c) alongwith members of other departments like Forest, Pollution Control Board, Jal Shakti Vibhag, Public Works department, Mining as per the procedure prescribed under Rule 10 of *ibid* Rules.
- c. **Concept of Mining Plan.**—To ensure systematic and scientific mining activities in the sanctioned area, mining plan is mandatory for grant of mineral concessions. Mining plan is prepared by the project proponent through a registered qualified person by taking into account the environmental, geological and other technical considerations. The provisions of progressive mine closure plan, final mine closure plan, financial assurance for the satisfactory compliance of the provisions of mining plan alongwith possible precautions to be taken for the protection of environment and control of pollution has been made in consonance with the guidelines circulated by the Ministry of Mines and Ministry of Environment, Forests and Climate Change (MoEF & CC), Government of India for mining of minor minerals including the riverbed mining and the draft rules circulated by the Indian Bureau of Mines pertaining to Minor Minerals (Conservation and Development) Rules-2010. To ensure that the proposals made in the mining plan are effectively implemented by the lease holder, concerned District Mining Officer shall make inspections at least twice a year and report to the Geological Wing headquartered at Shimla.
- d. **Appointment of technical person for implementation of Mining Plan.**—For the proper implementation of the proposals made in the mining plan and to ensure scientific mining, the mineral concession holder shall employ/retain a technical person as per the classification specified under Rule 55 of *ibid* Rules.
- e. **Mandatory provision for Environmental Clearance (EC).**—Extraction of minerals impacts other natural resources like land, water, air and forest. To

protect the environment from degradation and further for prevention and mitigation of adverse environmental effects due to mining, Environmental Clearance (EC) has been made mandatory for obtaining mineral concession. Also, as per the notification issued by Ministry of Environment, Forests and Climate Change (MoEF&CC) dated 20-03-2020, certain activities have been exempted from the requirement of Environment Clearance (EC). The State Government has already declared certain activities as non-mining activity and shall also identify and declare more activities which are required to be exempted in consonance with the *ibid* notification as non-mining activity.

f. Safeguard for public utilities/infrastructure.—For the safeguard of the public utility projects such as roads, bridges, water supply schemes, reservoirs, railway lines and other infrastructure of public importance, provisions/norms to keep mining activity at a safe distance from such sensitive areas has been made in the minor mineral rules. Apart from the provisions made in the rules, the policy shall also ensure the following:—

- (i) To protect the river banks, no mining shall be allowed upto a distance of five (5) meters from the banks of river or upto the distance as recommended by the joint inspection committee specified in the Rule 10 of the *ibid* Rules whichever is higher.
- (ii) No river/stream bed mining shall be allowed within seventy-five (75) meters from the periphery of soil conservation works, nursery plantation and check dams or within the distance as recommended by the joint inspection committee, whichever is more.
- (iii) No boulder/cobbles/hand broken road ballast shall be allowed to be transported outside the state without prior permission of the Govt. so as to reduce pressure on the mineral resources of the State as well as to protect the interest of mineral based industries functioning in the State.
- (iv) Every lease holder shall supply in advance, the registration numbers of vehicles engaged in transportation of mineral from mining area to his/her industrial unit. This would ensure checking of illegal mining and transportation.
- (v) Every lessee/contractor shall ensure that his labour does not involve in fish poaching.
- (vi) No blasting shall be allowed in the river/stream beds
- (vii) In case, any damage is caused to the village road used by the stone crusher owners for the transportation of mineral up to the main road, the stone crusher owners shall put efforts to maintain & strengthen the approach road leading towards the stone crusher from the main road up to a distance of 1000 meters & upto a distance of 100 meters from the T-junction in case of road other than village road. The crusher owner(s) shall also maintain the main road at T-junction upto a distance of 50 meters on either side.

The custodian departments shall be apprised about the safe distance as prescribed in the rules and shall be responsible to take action against the offender in case of any violation.

- g. **Registration of stone crusher working on the basis of road/tunnel muck in hydel/roads and other projects.**—In order to prevent the environmental degradation caused due to dumping of the waste generated during the construction of hydel projects, tunnels, roads, bridges, water supply schemes, reservoirs, railway lines and other infrastructure of public importance, the stone crushers shall be allowed to be installed on the basis of mineral/muck material generated during construction of such projects. Compliance of norms and distance parameters for the establishment of such stone crusher units shall be ensured by the concerned department before and during execution of the said project as provided in the rules. Permanent registration to run such stone crusher units shall be issued by the Geological Wing, Himachal Pradesh after obtaining certificate from the concerned department regarding compliance of all the distance norms and statutory requirements for such proposed stone crusher units. However, the permission to utilize the waste generated from the development activities shall be issued under Rule-33 of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.
- h. **Concept of Manufactured Sand (M-Sand) & Grit from hill slope.**—Although various rivers flowing in the State of Himachal Pradesh are rich in mineral sand, but due to growing demand and replenishment rate, the sand deposits are becoming insufficient to meet out the future demand of the market. The river systems of the State cannot be considered as the only source of sand. The conservation of water bodies is a paramount obligation of the State which is an essential resource for survival of mankind. Although, there is no alternate for water but there is an alternative for river sand in the form of Manufactured Sand (M-Sand). Manufactured Sand is produced by crushing the hard rock by using crusher, screener and by classifying methods to reduce it to the required size suitable for construction. The concept of Manufactured Sand is being adopted in other States due to scarcity of natural sand and the environmental issues related therewith. As such special emphasis shall be made in the State for hill slope mining to fulfil the future requirement of sand and grit. The stone crushers operating in the state shall also be encouraged to produce M-Sand. It shall reduce our dependence on the rivers for naturally occurring sand/grit and shall help in minimizing the problem of degradation of the river eco-system.
- i. **Auction of Private Lands.**—The cases where suitable private land is available for mining and the concerned surface right holders come forward to put their land for auction for mining purpose, the department shall conduct auction of such land for extraction of minerals with the consent of the land owners for which **80%** of the annual bid amount shall be offered to the surface right holders to encourage the private participation for development and utilization of mineral resources available in the state.
- j. **Use of machinery for mining in riverbed.**—The present growth in the construction activities will require large quantity of construction materials. Previously, use of machinery for extraction of minerals in the river/stream bed was not allowed and mining was done manually as per prescribed rules. Also, the manual labourers engaged for mining were doing selective mining from the riverbeds leaving behind uneven riverbed levels which defeated the purpose of mineral conservation and systematic mining. Due to this haphazard mining coupled with shortage of experienced labourers, neither the goal of scientific mining nor the optimum lifting of the river borne material has been achieved.

Hence, in the interest of systematic, scientific and sustainable mining and to achieve the targeted production level of minerals to meet out the growing demand of minerals, the use of machinery for excavation in the riverbeds is needed. As such, provision shall be made in the rules to allow machinery of appropriate size and capacity for use in river/stream beds for mining purposes.

- k. **Depth of mining in river/stream bed.**—As per existing provisions of rules, the extraction of minor mineral upto one (01) metre depth is allowed in the river/stream beds granted on mineral concession. However, in all adjoining States of Himachal Pradesh, excavation upto three (03) metres depth is allowed. The river/streams flowing in the State enter into adjoining states of Punjab, Haryana and Uttarakhand and transporting excess mineral from the riverbed of Himachal Pradesh to them causing huge loss to the State exchequer. Thus, to ensure optimum utilization of accumulated mineral resource in the river/stream beds of the State and to prevent erosion and transportation of minerals to the adjoining States, excavation depth prescribed in the rules need reappraisal in the interest of State. Thus, the relevant rules shall be amended to increase the depth of excavation upto two (02) meters in the river/stream beds granted on mineral concession.

10. Removal of sand and gravel from the agricultural fields and grass lands:

The removal of over accumulated sand and gravel from the private land which become uncultivable due to river capturing, shall be allowed to the land owner for a depth of two (02) meter. This process of removal of sand and gravel from such land will help the farmers to develop their land for agrarian purpose. The permission shall be granted on the recommendations of the joint inspection committee as specified in Rule-33 of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 and the permission shall be issued by the competent authority as per Schedule –IV of the *ibid* Rules after payment of royalty and processing fees. The permission shall be issued after monsoon season subject to quantum of accumulation of sand and gravel in the agricultural fields and **grass lands**.

11. Dredging of riverbeds:

The unprecedented landslides, flash floods and cloud bursts in the State during the monsoon seasons lead to massive loss of life and property. Change in river courses due to cloud bursts and flash floods, a lot of material is accumulated in the riverbeds at various locations which further increase the chances of further damaging the riverbanks resulting into heavy loss to the infrastructure along the banks.

The mining wing after due approval and request from the District Disaster Management Authority/Revenue Authorities will quickly conduct the auctions of such over accumulated material after assessment by the Joint Inspection Committee constituted under Rule 10 of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015 to avoid any disaster like situation. This auctioned material shall be allowed to be crushed by any nearby stone crusher unit and may be treated as legal source of material. In case, there is requirement of forest clearance under Forest Conservation Act, 1980, the Forest Corporation, Himachal Pradesh shall be the Nodal Agency to obtain such clearances.

12. Welfare of mining affected areas:

For the socio-economic emancipation of the affected population and to ensure the appropriate relief and rehabilitation of the mining affected areas, a mechanism was required to be

evolved after careful assessment of the economic, cultural, environmental and social impact of mining in such areas. For this purpose, setting up of District Mineral Foundation Trusts (DMFTs) in all districts in the country affected by mining related operations is mandated by the Central Govt. through the Mines and Minerals (Development & Regulation) Amendment Act, (MMDR) 2015 by introducing section 9B prescribing the establishment of District Mineral Foundation Trust. Accordingly, the State of Himachal Pradesh has framed the Himachal Pradesh District Mineral Foundation Trust Rules- 2016 with the objective to work for the interest and benefit of persons and areas affected by mining related operations. The devolution of mining benefits under DMFT for inclusive and equitable development of project affected persons and areas are to be guided by the provisions of the “Pradhan Mantri Khanij Kshetra Kalyan Yojna”(“PMKKKY”). Hence, it shall be the endeavour of the State Government to monitor and review the implementation of schemes under DMFT and guidelines issued under “PMKKKY” for the benefit of areas and persons affected by mining related activities.

In addition to above, for the welfare of the local population of the affected areas, the mineral concession holder is also obligated to pay Rs. 5/- per tractor trolley and Rs. 10/- per truck on extraction and dispatch of sand, stone and bajri through the Mining Officer for the welfare of the concerned Gram Panchayat.

13. Charges in lieu of online services provided to the mineral concession holders:

Prior to the onset of the online services, mineral concession holders had to pay the printing charges to the department for the issuance of Transit Passes. In the year 2018, to prevent leakages of revenue and to ensure transparency, the department had launched an online system/portal for the generation of Transit Passes (W & X Forms). Apart from above, the mining lease applications are being also processed online on the department's web portal. Therefore, the mineral concession holders shall pay Rs. 5/- per metric tonne for the web services and Rs. 5/- for the promotion of electric vehicles in the State to develop the State as Green State alongwith an additional Milk Cess @ Rs. 2/- per metric tonne for the production of minor minerals from the mineral concession areas for the socio-economic emancipation of the State.

14. Processing charges:

While allowing the permission to use the minor mineral generated during construction of hydel projects, tunnels, roads, bridges, water supply schemes, reservoirs, railway lines, other infrastructure of public importance and development activities as specified in Rule-33 of *ibid* Rules, the department has to complete the entire process as required in the cases of grant of mineral concessions like processing of the application, joint inspection of the material etc. Hence, while allowing such permission, an additional processing charge equivalent to 75% of royalty payable on every tonne of mineral produced shall be realized from the permission holders.

15. Revision of parameter fixed for calculation of production of the Stone Crushers:

The royalty from the stone crusher units is being charged on the basis of actual production which is computed on the basis of consumption of electricity and other measures. A factor of seven (7) units of electricity consumption for production of one (1) metric tonne of grit/bajri is being taken into account for the calculation of royalty. This factor of seven (7) units per metric tonne was fixed way back in the year 2003-2004. With the advancement of technology and latest machinery being used in the stone crushers has resulted into higher production with less electricity/power consumption. Therefore, after careful consideration and inputs received from the field, the factor of seven (7) units is hereby revised to five (5) units of electricity for the production of one (1) metric tonne of grit/bajri for computing the production and royalty of stone crushers. Henceforth, the

production and royalty of all the stone crushers in the State shall be assessed and charged at the revised units of electricity/power consumption.

16. Measures to check illegal mining:

Over the years, in the State of Himachal Pradesh the infrastructural development activities such as construction of roads, buildings and other developmental projects has increased many folds which has led to higher demand of construction materials like sand, stone and bajri etc. The department has granted mineral concessions throughout the State to cater to the demand of minor minerals. A number of stone crusher units are functional based on these mineral concessions. It is also a matter of fact that the minor minerals *i.e.* sand, stone and bajri available in various parts of the riverbeds of the State is lying as an open wealth. The riverbeds falling in nine (9) districts of the State attract the provisions of Forest Conservation Act -1980. Thus, due to the stringent provisions of Forest Conservation Act-1980, mandatory requirement of environment clearance for the grant of mineral concession and the growing demand of mineral in the market, the mineral wealth of the State becomes susceptible to illegal mining. As such the incidents of illegal mining of minor minerals are reported from various parts of the State. In order to prevent illegal mining, transportation and storage of minerals effectively, following measures will be put in place through this Policy:

- (i) It has been experienced that most of the incidents of illegal mining are reported during night hours. Henceforth, no mining of minor minerals shall be allowed in the State between 8:00 P.M. to 5:00 A.M. however, there shall be no restriction for the transportation of finished goods during this period. Further, any tool, equipment, vehicle or any machinery used for mining purpose shall also not be allowed to be kept/parked within the mineral concession areas during this prohibited time period.
- (ii) As illegal mining leads to unscientific and haphazard extraction of minerals, therefore, emphasis shall be given to check the menace of illegal mining proactively. It has been noticed that illegal mining mostly takes place on Govt. land which mostly belongs to Revenue and Forest Department. Henceforth, there is a need for cohesive action by the custodian departments of such land from where this material is sourced. It would be the responsibility of such custodian departments to promptly initiate action to prevent illegal mining for which they have adequately been empowered under relevant act, rules and statutes.
- (iii) The concerned department and/or Mining Wing whose property is damaged or caused to be damaged by illegal mining shall lodge First Information Report (FIR) with police for damaging public property besides filing case of illegal extraction in the competent court of law.
- (iv) As per the provisions contained in the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015, no person/entity other than the exempted category in *ibid* rules can store the minor minerals without obtaining registration from the department. The dealer registration fee alongwith security shall be enhanced to make the registered dealers more responsible and accountable. Further, in order to discourage illegal storage/dumping of minor minerals, the penalty provisions shall be made more stringent and necessary amendments shall be made in the *ibid* rules.
- (v) The mineral concession holders will fix sign board at the conspicuous prominent places near concession area depicting all relevant details of mining lease like period of

- permission, purpose of lease etc. for the information of general public. People including mining lessee will be encouraged to report cases of any illegal mining to concerned mining officer and other authorized officers for taking appropriate action as per law.
- (vi) For transportation of mineral the transit passes shall be issued through online mode. The finished product *i.e.* grit, sand etc. shall also be transported with online generated supplementary transit pass duly issued by the department.
 - (vii) The unauthorized mineral seized during checking/raids shall be put to auction by the committee as per the procedure specified under Rule 28 of the Himachal Pradesh Minor Minerals (Concession) and Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2015.
 - (viii) All the unauthorized roads/routes used for illegal mining shall be identified and accordingly be plugged with the help of police and district administration proactively.
 - (ix) To review the complaints relating to illegal mining contact number of all the mining officers shall be displayed on the website of the department for speedy redressal of the complaints.
 - (x) To encourage public participation and create public awareness about the ill effects of illegal mining on the environment and ecology, frequent interaction with the public representatives, opinion makers and stake holders at local level shall be undertaken by the department.
 - (xi) Periodic interaction between the mineral concession holders and department shall be organized to redress the problems and issues pertaining to mining.
 - (xii) In order to review the action taken by the duty holders to whom powers to check the illegal mining has been delegated, the Deputy Commissioners of the concerned districts shall hold quarterly review meetings and shall monitor the progress made regarding action taken. The report to this effect shall be submitted to the Government through Director of Industries.
 - (xiii) Four (04) dedicated flying squads to check illegal mining in the border areas shall be constituted. These flying squads equipped with DRONES will conduct surprise raids in the areas vulnerable to illegal mining and take deterrent action against the offenders.
 - (xiv) In order to check illegal mining activities effectively, the Government *vide* notification dated 11-03-1993 has constituted a Sub Divisional Level Flying Squad under the chairmanship of concerned Sub Divisional Officer (C) with Assistant Conservator of Forest and Deputy Superintendent of Police as its members. This flying squad shall carry out surprise raids in the areas vulnerable to illegal mining activities.
 - (xv) The Govt. *vide* notification dated 01-12-2021 has delegated powers to twenty five (25) officers/officials of various categories of different departments like Industries, Revenue, Police and Forest to make complaints in writing in the court of competent jurisdiction regarding illegal mining/transportation of minerals. Such powers have also been delegated to Regional Transport Officers in their respective jurisdiction *vide* notification dated 19-9-2012. The above officials shall take effective steps to curb the illegal mining activities in their respective jurisdictions.

- (xvi) The Government. *vide* notification dated 01-12-2021 has also delegated powers to thirteen (13) Officers/officials of various departments like Police, Forest, Revenue, and Industries to seize any mineral raised or transported or caused to be raised or transported by any person without any lawful authority and further any mineral from any land and for that purpose uses any tool, equipment, vehicle or any other thing for this purpose. The above officials shall take effective steps to curb the illegal mining activities in their respective jurisdictions.
- (xvii) In order to avoid any mis-utilization of the Transit passes (W & X Forms), it shall be incumbent on the user agencies like HPPWD, NHAI, Jal Shakti Vibhag, HIMUDA and other such agencies, to ensure that the material is procured by the Contractor/Executing agencies from the legal mineral concession holder within a distance of 50 Kms (by road) and entertain only such transit passes for releasing payments etc. In case, the Contractor/Executing agencies submit transit passes of the legal source beyond a distance of 50 Kms (by road), such transit passes shall have to be authenticated/verified from the concerned Mining Officer prior to release of any payment.
- (xviii) Permission for the extraction of sand, stone and bajri etc. in the rivers, stream beds falling in the Government land is being granted through auction/tender. The earlier provision of the mineral policy of the State shall continue to the extent that neither auction shall be done nor mining lease for open sale of minerals shall be granted in border areas of Nalagarh sub-division and Kasauli Tehsil of district Solan, where there are chances of over exploitation of river/stream beds and illegal transportation of minerals outside the State.
- (xix) To prevent illegal transportation of mineral, the transit passes issued to every vehicle carrying mineral from other States should be properly checked at multipurpose check post/barriers established at inter-state boundaries. The State Govt. shall collect royalty/penalty amount from all those vehicles carrying processed or unprocessed minor minerals without requisite documents across the borders at the rate of Rs. 10/- per cubic feet and the Government may revise this rate through notification. Further, a confirmation receipt as prescribed by the department shall be issued to such vehicles. The district Solan shall be taken up for the pilot project for the above purpose.
- (xx) There are instances where the boundary pillars erected after demarcation relating to the concession area are shifted/removed/damaged leading to boundary disputes. Hence, the GPS co-coordinates of the boundaries of the land proposed for mineral concession shall be recorded with the help of revenue authorities at the time of joint inspection to avoid such boundary disputes in future. This shall also effectively curb illegal mining by the concession holders or others.

Conclusion:

This mining policy will guide the mining wing and other stakeholders to develop minerals in a systematic, scientific and sustainable manner. The basic intent of this policy is to mitigate adverse impact on environment and ecology along with meeting the demand of minerals in the State. This policy will help enhance revenue in the state exchequer and further augment the prosperity of the state and its people. The socio-economic emancipation of the state along with conservation of mineral resources will be the priority of this policy. In order to ensure regular and legal supply of minor minerals in the State and also to bring down the prices of construction materials, the mining wing, Deptt. of Industries shall endeavour to de-regulate and promote

development of minor minerals by granting adequate mineral concessions and stone crushers. This policy will be a guiding factor for the Geological Wing of the State in its future endeavours.

Note.—These policy guidelines are to be read with the statutory provisions in the relevant Acts & Rules, directions from the Hon'ble Courts and Tribunals from time to time and may be amended/changed by the competent authority.

हिमाचल प्रदेश चौदहवीं विधान सभा

अधिसूचना

दिनांक 04 मार्च, 2024

सं०: वि०स०-विधायन-समिति गठन/1-14/2018.—इस सचिवालय की समसंख्यक अधिसूचना दिनांक 18-01-2024 की निरन्तरता में अध्यक्ष, हिमाचल प्रदेश विधान सभा द्वारा समितियों के गठन में आंशिक परिवर्तन करते हुए निम्न सदस्यों को सभापति/सदस्य नामांकित किया है :—

1. विशेषाधिकार समिति

सदस्य का नाम	सभापति/सदस्य
डॉ० हंस राज, सदस्य के स्थान पर	श्री डी० एस० ठाकुर, सदस्य नामांकित किये
श्री रणवीर सिंह निक्का, सदस्य के स्थान पर	श्री पूर्ण चन्द ठाकुर, सदस्य नामांकित किये
श्री सुरेश कुमार, सदस्य के स्थान पर	श्री चन्द्र शेखर, सदस्य नामांकित किये
रिक्त स्थान	श्री नीरज नैय्यर, सदस्य नामांकित किये

2. स्थानीय निधि लेखा समिति

श्री डी० एस० ठाकुर, सदस्य के स्थान पर	डॉ० हंस राज, सदस्य नामांकित किये
श्री पूर्ण चन्द ठाकुर, सदस्य के स्थान पर	श्री रणवीर सिंह निक्का, सदस्य नामांकित किये

3. ग्रामीण नियोजन समिति

श्री चन्द्र शेखर, सदस्य के स्थान पर	रिक्त स्थान।
-------------------------------------	--------------

हस्ता /—

सचिव,
हि० प्र० विधान सभा।

सामान्य प्रशासन विभाग
(गोपनीय और मन्त्रिमण्डल)

अधिसूचना

शिमला-171002, 1 मार्च, 2024

संख्या: जी.ए.डी.-सी-ए(3)2/2019-पार्ट-1.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान के अनुच्छेद 166 के खण्ड (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अधिसूचना संख्या जी.ए.डी.-सी-ए(3)2/2019, तारीख 10 दिसम्बर, 2021 में अधिसूचित और राजपत्र (ई-गजट), हिमाचल प्रदेश में

तारीख 13 दिसम्बर, 2021 को प्रकाशित हिमाचल प्रदेश कार्य संचालन (आबंटन) नियम, 2021 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश कार्य संचालन (आबंटन) (चतुर्थ संशोधन) नियम, 2024 है।

(2) ये नियम राजपत्र (ई-गजट), हिमाचल प्रदेश में प्रकाशन की तारीख से प्रवृत्त होंगे।

2. अनुसूची-अ का संशोधन.—हिमाचल प्रदेश कार्य संचालन (आबंटन) नियम, 2021 (जिसे इसमें इसके पश्चात् “उक्त नियम” कहा गया है) की अनुसूची-अ में,—

(क) क्रम संख्या 23 के स्तम्भ संख्या 02 में, “श्रम एवं रोजगार विभाग” शीर्षक के स्थान पर “श्रम रोजगार एवं विदेशी नियोजन विभाग” रखा जाएगा।

(ख) क्रम संख्या 23 के उप-शीर्षक “(ख) रोजगार” के पश्चात् नया उप-शीर्षक “(ग) विदेशी नियोजन” जोड़ा जाएगा।

3. अनुसूची-आ का संशोधन.—उक्त नियमों की अनुसूची-आ में,—

(क) “23. श्रम एवं रोजगार विभाग” शीर्षक के स्थान पर “23. श्रम, रोजगार एवं विदेशी नियोजन विभाग” रखा जाएगा।

(ख) उप-शीर्षक 23 (ख) के पश्चात् निम्नलिखित उप-शीर्षक और मदें जोड़ी जाएंगी, अर्थात्,—

“(ग) विदेशी नियोजन

1. विभाग, प्रशिक्षित और कुशल अभ्यर्थियों को नियोजित करने के लिए मान्यता प्राप्त विदेशी नियोजन (अभिकरणों) के साथ समन्वय करेगा।
2. विभाग, हिमाचल प्रदेश के युवाओं के लिए विदेशी नियोजन के अवसर बढ़ाने के लिए रणनीतियां विकसित करेगा।
3. दुनिया भर में हिमाचली युवाओं के लिए संभावित नियोक्ताओं और रोजगार के नए अवसरों की पहचान करना।
4. विभाग युवाओं को उनकी आकांक्षाओं और संभावित कार्य प्रालेख (प्रोफाइल) के आधार पर सहायता और आवश्यक कौशल प्रशिक्षण प्रदान करेगा। विभाग विभिन्न विभागीय कौशल कार्यक्रमों के अंतर्गत प्रशिक्षित आई. टी., कृषि, शिक्षा आदि जैसे विशिष्ट क्षेत्रों में प्रशिक्षित मानव संसाधनों के लिए नियोक्ताओं को सरकार की संबंधित शाखा/पंक्ति (लाइन) विभाग से जोड़ने में मदद करेगा।
5. विभाग, नियोजन चाहने वालों को मार्गदर्शन और कौशल प्रदान करेगा और इस प्रकार संगठनों की अपेक्षाओं और व्यक्तियों द्वारा अर्जित अर्हताओं के मध्य अंतर को कम करेगा।
6. अभ्यर्थियों को घरेलू और अंतरराष्ट्रीय नौकरी बाजार की जानकारी प्रदान करते हुए विदेशी और घरेलू नियोजन को बढ़ावा देना। विभाग नौकरी चाहने वालों के लिए व्यक्तित्व विकास और अभिविन्यास कार्यक्रम चलाएगा।
7. विभाग नियोजन संबंध के बारे में नियोक्ता और अभ्यर्थी के मध्य संविदात्मक करार आरम्भ करेगा, जिससे दोनों पक्षों को लाभ होगा।

8. संभावित नौकरी बाजार और युवाओं की कौशल अपेक्षाओं का आकलन करना।
9. एन. एस. डी. सी. और विभिन्न अन्य कौशल प्रदान करने वाले और मूल्यांकन करने वाले अभिकरणों के साथ वचनबंधता। युवाओं के समन्वय और उचित नियोजन को सुनिश्चित करने के लिए प्रमुख आंतरिक और बाहरी पणधारियों के साथ संपर्क करना
10. विभाग विदेशी नियोजन पर कार्य करने वाले विभिन्न अन्य राज्यों के साथ वचनबंध करेगा। भारत सरकार के विदेश विभाग के साथ भी वचनबंधता बनाए रखी जाएगी।
11. बीजा औपचारिकताओं और यात्रा विनियमों में उपयुक्त मार्गदर्शन प्रदान करना।
12. संभावित नियोजन चाहने वालों को अतिरिक्त कौशल प्रशिक्षण प्रदान करना। विभाग कोई अल्पकालिक अभिविन्यास प्रशिक्षण तैयार और निष्पादित करेगा।
13. विभाग आई. ई. एल. टी. एस., ओ. ई. टी. आदि में प्रशिक्षण के साथ-साथ जापानी और जर्मन जैसी विदेशी भाषाओं में भी प्रशिक्षण प्रदान करेगा। विभाग ऐसे प्रशिक्षण प्रदान करने के लिए मान्यता प्राप्त अभिकरणों के साथ वचनबंध करेगा।”।

आदेश द्वारा,

मुख्य सचिव।

[Authoritative English Text of this Department Notification No. GAD-C-A(3)2/2019-Part-I, dated 01-03-2024 as required under clause (3) of Article 348 of the Constitution of India].

**GENERAL ADMINISTRATION DEPARTMENT
(Confidential & Cabinet)**

NOTIFICATION

Shimla-171002, 1st March, 2024

No. GAD-C-A(3)2/2019-Part-I.—In exercise of the powers conferred by clause (3) of article 166 of the Constitution of India, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Business of the Government of Himachal Pradesh (Allocation) Rules, 2021, notified vide Notification No. GAD-C-A(3)2/2019, dated 10th December, 2021 and published in the Rajpatra (e-Gazette), Himachal Pradesh, dated 13th December, 2021, namely:—

1. Short title and Commencement.—(1) These rules may be called the Business of the Government of Himachal Pradesh (Allocation) (4th Amendment) Rules, 2024.

(2) These rules shall come into force from the date of publication in the Rajpatra (e-Gazette), Himachal Pradesh.

2. Amendment of SCHEDULE-A.—In the Business of the Government of Himachal Pradesh (Allocation) Rules, 2021 (hereinafter to be referred as the “said rules”), in SCHEDULE-A.—

- (a) In Sr. No. 23 in Column No. 2 for the heading “Labour and Employment Department” the heading “Labour Employment and Overseas Placement Department” shall be substituted.

- (b) In Sr. No. 23 after sub-heading “(b) Employment” new sub-heading “(c) Overseas Placement” shall be added.

3. Amendment of SCHEDULE-B.— In the said rules, in SCHEDULE-B.—

- (a) for the heading “23. LABOUR AND EMPLOYMENT DEPARTMENT” the heading “23.LABOUR, EMPLOYMENT AND OVERSEAS PLACEMENT DEPARTMENT” shall be substituted.
- (b) after sub-heading 23 (b), following new sub-heading and items shall be added, namely.—

“(c) OVERSEAS PLACEMENT

1. Department shall coordinate with the recognized overseas placement agencies to place the trained & skilled candidates.
2. Department will develop strategies to enhance opportunities for overseas placement of the youth of Himachal Pradesh.
3. Identifying Potential Employers and new employment opportunities for the Himachali youth across the globe.
4. Department will provide hand holding and necessary skill training to youth based upon their aspirations and prospective job profile. Department shall help connecting the employers to the corresponding line department of the Government for trained human resources in specific fields such as IT, Agriculture, Education, etc. trained under various departmental skill programmes.
5. Department will provide guidance and skilling to the job seekers and thereby bridging the gap between requirements of organizations and qualifications acquired by individuals.
6. Promoting foreign and domestic employment by introducing aspirants to the domestic and international job market. Department shall undertake personality development and orientation programmes for the job seekers.
7. Department shall initiate a contractual agreement between the employer and the candidate, with regard to an employment relationship, which will benefits both the parties.
8. Assess potential job market and skilling requirements of youth.
9. Engagement with NSDC and various other Skill providing and assessing agencies. Liaising with key internal and external stakeholders to ensure coordination and proper placement of the youth.
10. Department will engage with various others states working on overseas placement. Also engagement will be maintained with Department of External Affairs, GoI.
11. Providing suitable guidance in Visa formalities and Travel regulations.
12. Providing add-on skill training to prospective job seekers. Department shall prepare and execute a short-term orientation training.

13. Department will also provide training in foreign languages like Japanese and German together with training in IELTS, OET etc. Department will engage with recognized agencies to provide such trainings.”.

By order,

Chief Secretary.

In the Court of Sh. Manish Kumar Soni, HPAS, Marriage Officer-cum-Sub-Divisional Magistrate, Hamirpur, District Hamirpur (H.P.)

In the matter of :

1. Sh. Satpal Singh s/o Shri Barham Singh, r/o Village & P.O. Lahru, Sub-Tehsil Alampur, Tehsil Jaisinghpur, District Kangra (H.P.)-176 098.

2. Smt. Shilpa d/o Sh. Raj Kumar, r/o Village Ghubhar (Thalamber), P.O. Bherda (Kakkar), Tehsil Bamson at Tauni Devi, Distt. Hamirpur (H.P.)-177 028 . *Applicants.*

Versus

General Public

Subject.— Notice of Intended Marriage.

Sh. Satpal Singh & Shilpa have filed an application U/S 5 of Special Marriages Act, 1954 alongwith affidavits and supporting documents in the court of undersigned, in which they have stated that they intend to solemnize their marriage within next three calendar months.

Therefore, the general public is hereby informed through this notice that if any person having any objection regarding this marriage may file his/her objections personally or in writing before this court on or before 23-03-2024. In case no objection is received by 23-03-2024, it will be presumed that there is no objection to the registration of the above said marriage and the same will be registered accordingly.

Issued under my hand and seal of the court on 20-02-2024.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Sub-Division Hamirpur, District Hamirpur (H.P.).*

In the Court of Sh. Manish Kumar Soni, HPAS, Marriage Officer-cum-Sub-Divisional Magistrate, Hamirpur, District Hamirpur (H.P.)

In the matter of :

1. Sh. Sanjeev Gautam s/o Shri Sheetal Swaroop, r/o House No. 41, Ward No. 10, Middle Gaura, Hamirpur (H.P.)-177 001.

2. Smt. Anu d/o Sh. Ajeet Kumar, r/o Village & P.O. Nigulsari, Tehsil Nichar, Distt. Kinnaur (H.P.)-172 101 . . Applicants.

Versus

General Public

Subject.— Notice of Intended Marriage.

Sh. Sanjeev Gautam & Smt. Anu have filed an application U/S 5 of Special Marriages Act, 1954 alongwith affidavits and supporting documents in the court of undersigned, in which they have stated that they intend to solemnize their marriage within next three calendar months. The notice has been issued to the general public on dated 18-10-2023, but applicants could not make their presence before this court within three months due to unavoidable circumstance. The applicants again filed an application before this court and further stated that they intend to solemnize their marriage within next three calendar months.

Therefore, the general public is hereby again informed through this notice that if any person having any objection regarding this marriage may file his/her objections personally or in writing before this court on or before 26-03-2024. In case no objection is received by 26-03-2024, it will be presumed that there is no objection to the registration of the above said marriage and the same will be registered accordingly.

Issued under my hand and seal of the court on 20-02-2024.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Sub-Division Hamirpur, District Hamirpur (H.P.).*

**In the Court of Sh. Sanjay Kumar, H.A.S., Marriage Officer-cum-Sub-Divisional Magistrate,
Bhoranj, Distt. Hamirpur, Himachal Pradesh**

1. Kamal Kant s/o Sh. Kesar Singh, r/o Village Blokhar, P.O. Town Bharari, Tehsil Bhoranj, Distt. Hamirpur (H.P.) aged 26 years.

2. Ati Devi d/o Sh. Bakshi Ram, r/o Village Chhat, Tehsil Ghumarwin, District Bilaspur (H.P.) aged 21 years . . Applicants.

Versus

General Public

Kamal Kant s/o Sh. Kesar Singh, Village Blokhar, P.O. Town Bharari, Tehsil Bhoranj, Distt. Hamirpur (H.P.) & Ati Devi d/o Sh. Bakshi Ram, Village Chhat, Tehsil Ghumarwin, District Bilaspur (H.P.) aged 21 years old have filed an application alongwith affidavits in this court under section 16 of Special Marriage Act, 1954 (Central Act) as amended by the Marriage Laws amendment by the marriage laws (Amendment Act 01, 49 of 2001) that they have solemnized their marriage ceremony at Village Blokhar, Tehsil Bhoranj, Distt. Hamirpur (H.P.) on dated 13-01-2024 as per Hindu Rites and Customs and they are living together as husband and wife since then. Hence their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objections regarding this marriage can file the objections personally or in writing before this court on or before 26-03-2024. After that no objections will be entertained and marriage will be registered accordingly.

Issued today on 17-02-2024 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Bhoranj, Distt. Hamirpur (H.P.).*

**In the Court of Sh. Sanjay Kumar, H.A.S., Marriage Officer-cum-Sub-Divisional Magistrate,
Bhoranj, Distt. Hamirpur, Himachal Pradesh**

1. Rohit Kumar s/o Sh. Jamba Ram, Village Dhamrola, P.O. Jakhyol, Tehsil Bhoranj, Distt. Hamirpur (H.P.).

2. Bandna Kumari d/o Sh. Nand Lal, r/o Village Delag, P.O. Nichali Bhater, Tehsil Sadar, District Bilaspur (H.P.) . . Applicants.

Versus

General Public

Subject.— Notice of Intended Marriage.

Sh. Rohit Kumar and Bandana Kumari have filed an application u/s of Special Marriage Act, 1954 alongwith affidavits and supporting documents in the court of undersigned in which they have stated that they intend to solemnize their marriage within next three calendar months.

Therefore, the general public is hereby informed through this notice that if any person having any objection regarding this marriage, may file his/her objection personally or in writing, before this court on or before 18-03-2024. In case no objection is received by 18-3-2024, it will be presumed that there is no objections to the registration of the above said marriage and the same will be registered accordingly.

Issued today on 08-02-2024 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-S.D.M.,
Bhoranj, Distt. Hamirpur (H.P.).*

**In the Court of Shri Multan Singh Banyal, Executive Magistrate (Tehsildar) Solan,
District Solan (H.P.)**

In the matter of :

Sh. Parvinder Kumar s/o Shri Sunder Singh, r/o Village Radiana, P.O. Subathu, Tehsil & District Solan (H.P.) . . Applicant.

Versus

General Public

. .Respondent.

Application under section 13(3) of Birth and Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003.

Whereas, Sh. Parvinder Kumar s/o Shri Sunder Singh, r/o Village Radiana, P.O. Subathu, Tehsil & District Solan (H.P.) has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003 alongwith affidavit and other relevant documents for entering of his date of birth *i.e.* 01-01-1964 and place of birth is at House No. 24, Village Ravidaspura, Cantonment Board Subathu, P.O. Subathu, Tehsil & District Solan (H.P.) but his date of birth could not be entered in the record of Cantonment Board Subathu, Tehsil & District Solan (H.P.).

Now, therefore, by this proclamation, the general public is hereby informed that any person having any objection(s) for the registration of delayed date of birth of Sh. Parvinder Kumar s/o Shri Sunder Singh, r/o Village Radiana, P.O. Subathu, Tehsil & District Solan (H.P.), may submit their objections in writing or appear in person in this court on or before 23-03-2024 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Given under my hand and seal of the court on this 23rd day of February, 2024.

Seal.

Sd/-

(MULTAN SINGH BANYAL),
Executive Magistrate (Tehsildar),
Solan, District Solan (H. P.).

**In the Court of Shri Multan Singh Banyal, Executive Magistrate (Tehsildar) Solan,
District Solan (H. P.)**

In the matter of :

Sh. Deepak s/o Shri Devi Ram, r/o Near Mahun Madir, Rabon, Ward No. 8, P.O. Saproon, Tehsil & District Solan (H.P.) . .Applicant.

Versus

General Public

. .Respondent.

Application under section 13(3) of Birth and Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003.

Whereas, Sh. Deepak s/o Shri Devi Ram, r/o Near Mahun Madir, Rabon, Ward No. 8, P.O. Saproon, Tehsil & District Solan (H.P.) has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003 alongwith affidavit and other relevant documents for entering of her date of birth of his son namely Atharav s/o Sh. Deepak and Smt. Manisha whose date of birth is 28-11-2020 and place of birth is at Village Rabon, P.O. Saproon, Tehsil & District Solan (H.P.) but her date of birth could not be entered in the record of Municipal Corporation Solan, Tehsil & District Solan (H.P.).

Now, therefore, by this proclamation, the general public is hereby informed that any person having any objection(s) for the registration of delayed date of birth of Atharav s/o Sh. Deepak and Smt. Manisha, may submit their objections in writing or appear in person in this court on or before 23-03-2024 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Given under my hand and seal of the court on this 23rd day of February, 2024.

Seal.

Sd/-
(MULTAN SINGH BANYAL),
Executive Magistrate (Tehsildar),
Solan, District Solan (H. P.).

**In the Court of Shri Multan Singh Banyal, Executive Magistrate (Tehsildar) Solan,
District Solan (H.P.)**

In the matter of :

Alvin Samuel s/o Shri Samuel Peter, r/o A-17, Street No. 10, Pratap Nagar, Mayur Vihar,
Ph-I, East Delhi-110 091 . .Applicant.

Versus

General Public . .Respondent.

*Application under section 13(3) of Birth and Death Registration Act, 1969 and Section 9(3) of H.P.
Birth & Death Registration Rules, 2003.*

Whereas, Alvin Samuel s/o Shri Samuel Peter, r/o A-17, Street No. 10, Pratap Nagar, Mayur Vihar, Ph-I, East Delhi-110 091 has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003 alongwith affidavit and other relevant documents for entering of date of birth of his son namely Frank Samuel whose date of birth is 04-01-1999 and place of birth is at Parashar Clinic and Nursing Home, Rajgarh Road Solan, Tehsil & District Solan (H.P.) but her date of birth could not be entered in the record of Municipal Corporation Solan, Tehsil & District Solan (H.P.).

Now, therefore, by this proclamation, the general public is hereby informed that any person having any objection(s) for the registration of delayed date of birth of Frank Samuel s/o Alvin Samuel and Cathrin Samuel, may submit their objections in writing or appear in person in this court on or before 23-03-2024 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Given under my hand and seal of the court on this 23rd day of February, 2024.

Seal.

Sd/-
(MULTAN SINGH BANYAL),
Executive Magistrate (Tehsildar),
Solan, District Solan (H. P.).

**In the Court of Shri Multan Singh Banyal, Executive Magistrate (Tehsildar) Solan,
District Solan (H.P.)**

In the matter of :

Sh. Parmod Gautam s/o Shri Laxman Gautam, r/o Village Bhaila, Chiyog (378), Shimla (H.P.)-171 209 . .Applicant.

Versus

General Public . .Respondent.

Application under section 13(3) of Birth and Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003.

Whereas, Sh. Parmod Gautam s/o Shri Laxman Gautam, r/o Village Bhaila, Chiyog (378), Shimla (H.P.)-171 209 has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003 alongwith affidavit and other relevant documents for entering of date of birth of her daughter namely Chandni Gautam d/o Sh. Parmod Gautam and Smt. Devika Gautam whose date of birth is 10-06-2016 and place of birth is at Village Kathar, P.O. Basal, Tehsil & District Solan (H.P.) but her date of birth could not be entered in the record of Municipal Corporation Solan, Tehsil & District Solan (H.P.).

Now, therefore, by this proclamation, the general public is hereby informed that any person having any objection(s) for the registration of delayed date of birth of Chandni Gautam d/o Sh. Parmod Gautam and Smt. Devika Gautam, may submit their objections in writing or appear in person in this court on or before 23-03-2024 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Given under my hand and seal of the court on this 23rd day of February, 2024.

Seal.

Sd/-
(MULTAN SINGH BANYAL),
Executive Magistrate (Tehsildar),
Solan, District Solan (H. P.).

**In the Court of Shri Multan Singh Banyal, Executive Magistrate (Tehsildar) Solan,
District Solan (H.P.)**

In the matter of :

Smt. Sushma Devi w/o Shri Pardeep Kumar, r/o Village Jhagon, P.O. Bohli, Tehsil & District Solan (H.P.) . .Applicant.

Versus

General Public . .Respondent.

Application under section 13(3) of Birth and Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003.

Whereas, Smt. Sushma Devi w/o Shri Pardeep Kumar, r/o Village Jhagon, P.O. Bohli, Tehsil & District Solan (H.P.) has moved an application before the undersigned under section 13(3) of Birth & Death Registration Act, 1969 and Section 9(3) of H.P. Birth & Death Registration Rules, 2003 alongwith affidavit and other relevant documents for entering of her date of birth i.e. 01-01-1974 and place of birth is at Village Ghawayli, P.O. Bohli, Tehsil & District Solan (H.P.) but her date of birth could not be entered in the record of Gram Panchayat Bohli, Tehsil & District Solan (H.P.).

Now, therefore, by this proclamation, the general public is hereby informed that any person having any objection(s) for the registration of delayed date of birth of Smt. Sushma Devi d/o Late Sh. Amar Singh and Smt. Krishni Devi, may submit their objections in writing or appear in person in this court on or before 23-03-2024 at 10.00 A.M., failing which no objection will be entertained after expiry of date.

Given under my hand and seal of the court on this 23rd day of February, 2024.

Seal.

Sd/-
(MULTAN SINGH BANYAL),
Executive Magistrate (Tehsildar),
Solan, District Solan (H. P.).

CHANGE OF NAME

I, Yugal s/o Hukam Singh, r/o Village Jihun, P.O. Rouri, Kasauli, Solan (H.P.) declare that my father's real & correct name is HUKAM SINGH in all documents whereas in my CBSE educational record his name is wrongly recorded as Hukum Singh. Please correct & note.

YUGAL
s/o Hukam Singh,
r/o Village Jihun, P.O. Rouri,
Kasauli, Solan (H.P.).

CHANGE OF NAME

I, Ramesh Kumar s/o Sh. Shiv Ram, r/o Village Baddu, P.O. Dabla, Tehsil Ghumarwin, Distt. Bilaspur (H.P.) declare that in Aadhar Card No. 2439 6359 3809 my name wrongly entered as Prem Lal. Please correct it Ramesh Kumar as per my Pan Card and service documents. All concerned please may note.

RAMESH KUMAR
s/o Sh. Shiv Ram,
r/o Village Baddu, P.O. Dabla,
Tehsil Ghumarwin, Distt. Bilaspur (H.P.).